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JAN 22 2001

**HUMAN GENOME SCIENCES GROUP 1600  
LEGAL DEPARTMENT****9410 Key West Avenue  
Rockville, MD 20850****OFFICE****Phone: 301-309-8504****Fax: 301-309-8439****FAX COVER SHEET**

DATE: January 18, 2002

TOTAL NUMBER OF PAGES: 34

TO: **Examiner Jana Hines**  
GAU 1645  
United States Patent & Trademark Office

FAX NO.: (703) 308-4242

PHONE NO.: (703) 305-0487

FROM: **Mark J. Hyman (Reg. No. 46,789)**RE: **Application No. 08/961,083 (Atty. Docket No. PB340P2)**

Per your request, enclosed are the last several papers filed in App. No. 08/961,083. What appears to have occurred is that we filed an amendment under 37 CFR 1.312 concurrently with the issue fee on April 27, 2000, but that amendment was (improperly) rejected as filed after payment of the issue fee. In response, we filed a petition to withdraw the case from issue together with a CPA requesting entry of the previous amendment. That petition was granted on December 11, 2000. We have nothing in our file since that date.

Please let me know if you need anything more. Thanks for your assistance

If you experience any difficulty receiving this transmission,  
please contact Mark J. Hyman at (240) 314-1224.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Choi et al.

Application Serial No.: 08/961,083

Art Unit: 1641

Filed: October 30, 1997

Examiner: Hines, J.

For: Streptococcus Pneumoniae Antigens  
and Vaccines

Attorney Docket No.: PB340P2

FEES TRANSMITTAL SHEETAssistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY		
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add. Fee	or	Rate Add. Fee
Total	73	Minus	181	= - X9 \$ **	X18	\$ .00
Indep	13	Minus	13	= - X39 \$ **	X78	\$ .00
First Presentation of Multiple Dep. Claims			+ 135	\$ **	+ 270	\$ **
			Total	\$ **	or	Total \$ .00

Please charge the required fee, and any other fee deemed necessary, to Deposit Account No. 08-3425. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: April 27, 2000Michelle S. Marks  
Attorney for Applicants

(Reg. No. 41,971)

Human Genome Sciences, Inc.  
9410 Key West Avenue  
Rockville, MD 20850  
(301) 610-5771 (phone)

MSM/mpb

Complete and mail this form, together with appropriate fees, to: Box ISSUE FEE  
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Washington, D.C. 20231

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(Depositor's name)

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(Date)

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
10/22/01	10/22/01	10/22/01	10/22/01	10/22/01

For Named  
Applicant

EE OF  
NATION

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
10/22/01	10/22/01	10/22/01	10/22/01	10/22/01	10/22/01	10/22/01

Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Human Genome Sciences, Inc.  
2. \_\_\_\_\_  
3. \_\_\_\_\_

ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  
PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

**Human Genome Sciences, Inc.**

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY & STATE OR COUNTRY) **Rockville, MD**

Please check the appropriate assignee category indicated below (will not be printed on the patent)

individual  corporation or other private group entity  government

a COMMISSIONER OF PATENTS AND TRADEMARKS IS requested to apply the Issue Fee to the application identified above.

\_\_\_\_\_  
**Michelle S. Marks** (Reg. 41,971) (Date) **10/27/2002**

NOTE: The Issue Fee will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest, as shown by the records of the Patent and Trademark Office.

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2/5/02  
#23E  
TerryIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Choi et al.

Application Number: 08/961,083

Group Art Unit: 1641

Filed: October 30, 1997

Examiner: Hines, J.

Title: *Streptococcus pneumoniae Antigens  
And Vaccines*

Atty. Docket No.: PB340P2

AMENDMENT UNDER 37 C.F.R. § 1.312**BOX: AF**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice of Allowance dated 01 February 2000 and in accordance with Rule 312 of the Rules of Practice, please consider the following amendments and remarks. Applicants submit concurrently herewith: (a) a Substitute Sequence Listing in paper and computer readable form; (b) a Statement under 37 C.F.R. §§ 1.821-1.825; (c) an Issue Fee Transmittal, with appropriate fee; and (d) a Fee Transmittal Sheet, with appropriate fee.

AmendmentsIn the title

Please delete the current title and replace therefor -- *Streptococcus pneumoniae SP036 polynucleotides, polypeptides, antigens and vaccines* --.

In the specification

Please amend the specification as follows:

Page 1, after the title, please insert --This application claims benefit of 35 U.S.C. section 119(e) based on copending U.S. Provisional Application Serial No. 60/029,960, filed